

## REMARKS

Applicants believe that the following comments overcome the rejections set forth in the September 5, 2003 Office Action and that the rejections should be withdrawn.

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### I. THE INVENTION

Generally, the present invention is a system for accessing electronic data via a familiar printed medium. Specifically, the familiar printed medium is a printed magazine. Also, the machine recognizable feature may be one of various embodiments including, but not limited to, a watermark, bar code, invisible bar code, magnetic code, printed character, invisible icon, etc. When a machine recognizable feature is recognized, an electronic signal is transmitted for processing. The processing results in the display of programming material related to the information contained in the printed magazine. Importantly, the present invention is designed to allow a user to access programming material related to the information contained in the printed magazine to supplement the information provided by the printed magazine.

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## II. THE EXAMINER'S REJECTIONS

The Examiner rejected claims 168, 266, and 269 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent  
5 No. 5,932,863 (hereinafter referred to as "the '863 patent"). "Although the conflicting claims are not identical, they are not patentably distinct from each other because they all recited [sic] the same limitations" (September 5, 2003 Office Action, p. 3).

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## III. THE EXAMINER'S REJECTIONS SHOULD BE WITHDRAWN

The Examiner rejected claims 168, 266, and 269 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of the '863  
15 patent. In response, Applicants are filing a Terminal Disclaimer herewith to overcome the Examiner's double patenting rejection.



CONCLUSION

Applicants submit that all pending claims represent a patentable contribution to the art and are in condition for allowance. No new matter has been added. Early and  
5 favorable action is accordingly solicited.

Respectfully submitted,

Date: \_\_\_\_\_

3/2/04

  
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